

1
2
3 UNITED STATES DISTRICT COURT
4 WESTERN DISTRICT OF WASHINGTON
5 AT TACOMA

6 THOMAS W. S. RICHEY,

7 Plaintiff,

No. C11-5755 BHS/KLS

8 v.

ORDER STAYING DISCOVERY

9 DOUGLAS THAUT,

10 Defendant.

11 Before the Court is Defendant's motion to stay discovery. ECF No. 15. Also pending
12 before the Court is Defendant's motion to dismiss for failure to exhaust administrative remedies.
13 ECF NO. 14.

14 **DISCUSSION**

15 The court has broad discretionary powers to control discovery. *Little v. City of Seattle*,
16 863 F.2d 681, 685 (9th Cir. 1988). Upon showing of good cause, the court may deny or limit
17 discovery. Fed. R. Civ. P. 26(c). A court may relieve a party of the burdens of discovery while
18 a dispositive motion is pending. *DiMartini v. Ferrin*, 889 F.2d 922 (9th Cir. 1989), amended at
19 906 F.2d 465 (9th Cir. 1990) *Rae v. Union Bank*, 725 F.2d 478 (9th Cir. 1984).
20

21 Defendant moves to dismiss all of Plaintiff's claims on the grounds that he has not
22 exhausted his administrative remedies. The threshold issue of whether Plaintiff has exhausted
23 his administrative remedies should be resolved before the parties are burdened by the expense of
24 further discovery.
25
26

1 Accordingly, it is **ORDERED that** all discovery in this matter shall be **STAYED**
2 pending further order of this Court.

3 **DATED** this 13th day of February, 2012.

4 
5
6 Karen L. Strombom
7 United States Magistrate Judge
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26